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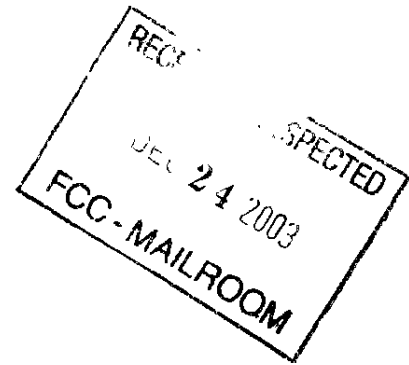
Serving Madison and Yazoo Counties, as well as the North Jackson Metropolitan Area

WYAB B-93.1 FM  
1307 E. Broadway St  
Yazoo City, MS 39194  
(662) 746-0093  
<http://www.wyab.com>

To Audio Division (MB)  
C/O Office of the Secretary  
TW B204  
FCC  
445 12<sup>th</sup> Street SW  
Washington, DC 20554

For Chief, Allocations Branch  
Policy and Rules Division  
Media Bureau

From: Matthew Wesolowski, General Manager, SSR Communications, Inc  
Date: December 18, 2003



Attached hereto is an original and four copies of an Initial Petition for Rulemaking to allot FM Channel 230A to Rainsville, AL. I hope that you find it in order and respectfully ask that it is addressed in an expedient fashion. If you have any questions or concerns, please feel free to call me at 601-201-2789.

Best Regards,

A handwritten signature in black ink, appearing to read "Matthew K. Wesolowski".

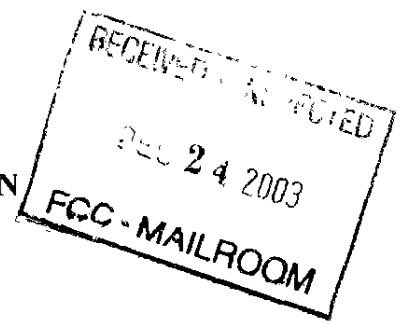
Matthew K. Wesolowski  
SSR Communications, Inc.  
5270 West Jones Bridge Road  
Norcross, GA 30092-1628

Matthew Wesolowski  
Owner and Station Manager  
[matt@wyab.com](mailto:matt@wyab.com)

WYAB B-93.1 FM  
662-746-0093 (voice)  
662-751-8800 (fax)

MB 04-3

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, D.C. 20554



In the Matter of )  
 )  
Amendment of Section 73.202(b), ) MM Docket No. \_\_\_\_\_  
Table of Allotments ) RM- \_\_\_\_\_  
FM Broadcast Stations )  
(Rainsville, AL) )

To Chief, Allocations Branch  
Policy and Rules Division  
Mass Media Bureau

**PETITION FOR RULEMAKING**

SSR Communications Incorporated hereby petitions the Federal Communications Commission for the initiation of a rulemaking proceeding to amend the FM Table of Allotments (§73.202(b) of the Commission's Rules) to assign FM Channel 230A to Rainsville, Alabama, as that community's *first* FM broadcast service, as follows:

<u>City</u>	<u>Present</u>	<u>Proposed</u>
Rainsville, Alabama	-	230A

1 Rainsville is an incorporated community with a 2000 U S Census recorded population of 4,499 persons. Rainsville is a bona-fide community for allotment purposes. First and foremost, it is an incorporated city (generally sufficient for allotment purposes). Rainsville governs itself with a Mayor and four-member Town Council. The city has its own school system, including the consolidated K-12 Plainview School, and the DeKalb County Vocational and Technical School. The city has its post office and its own library, the Rainsville Library. Rainsville is a commercial nexus: industries that call

Rainsville home make or refine baked goods, children's clothing, steel trusses, sanitation truck frames, hosiery, knit shirts, and poultry. Clearly, Rainsville more than satisfies the criteria for being a bona-fide community for allotment purposes.

2 As indicated in the attached Engineering Statement (attached hereto as Exhibit 1), Channel 230A can be assigned to the community of Rainsville using the reference site 34-28-23N, 85-47-53W. These reference coordinates require no site restriction: the site is within the incorporated city limits of Rainsville. At the reference site, all minimum distance separation requirements of §73.202(b) of the Commission's Rules are met, as well as the principal community contour coverage requirements of §73.315. This allotment *does* short-space station WDJC-FM at Birmingham, Alabama on 229C by approximately 13 kilometers. WDJC-FM, at present, does not meet the Commission's requirements for a full class C station. This allotment *also* short-spaces station WSTR at Smyrna, Georgia, by approximately 13 kilometers. WSTR, at present, does not meet the Commission's requirements for a full class C station. SSR proposes that *both* stations be downgraded to Class C0 status. SSR wishes the Commission to put forth Show Cause Orders to WDJC-FM and WSTR and allowing them the requisite 30-day window to express in writing their intention(s) to file for full class C status. Absent of such expression, SSR wishes for the Commission to downgrade WDJC-FM's and WSTR's classifications to C0.

3 Along with this Initial Petition for Rulemaking, SSR is sending a copy of this document to the license holders of both WDJC-FM and WSTR, Kimtron, Inc., and the Jefferson-Pilot Communications Company of Georgia, as required by the

Commission's Rules when seeking to trigger the C0-downgrade process. SSR certifies that it is sending a copy to the following addresses

<b><u>For WDJC-FM:</u></b>  KIMTRON, INC P O Box 3003 Blue Bell, PA 19422-0735	<b><u>ForWSTR:</u></b>  JEFFERSON-PILOT COMMUNICATIONS COMPANY OF GEORGIA Penthouse Capital City Plaza 3350 Peachtree Road, NE Atlanta, GA 30326
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4 In the event that Channel 230A is allotted to Rainsville, Alabama, SSR Communications Incorporated will file an application (Form 301) for a Construction Permit to operate a new FM broadcast station at Rainsville and, if authorized, will build the station promptly

Dated December 18, 2003

SSR Communications Incorporated  
5270 West Jones Bridge Road  
Norcross, GA 30092-1628  
(770) 447-0026

Respectfully submitted,

SSR Communications Incorporated

By 

Matthew K. Wesolowski  
General Manager

**EXHIBIT 1**  
**Site Map and Separation Requirements**

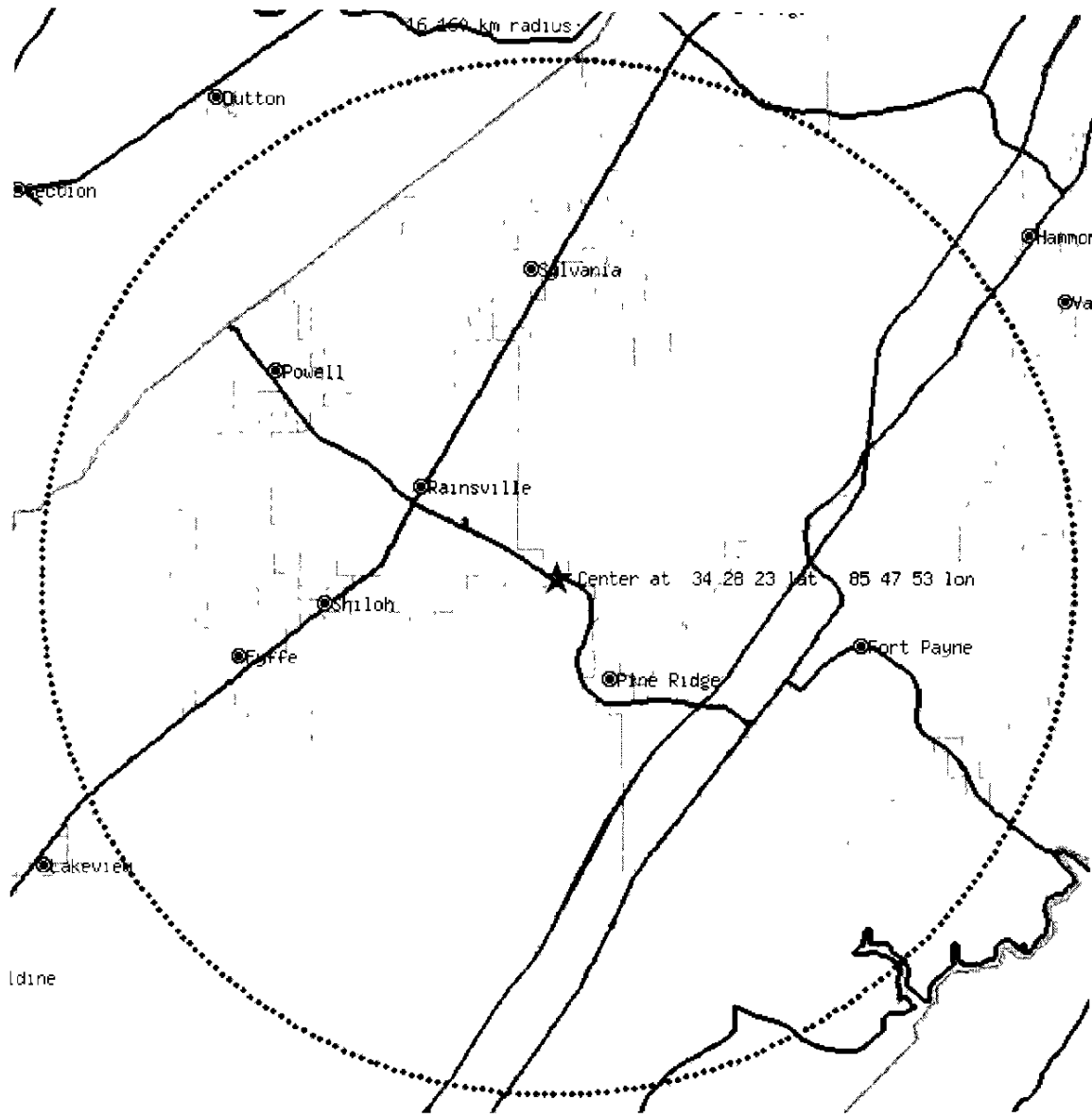


FIGURE 1 - SITE MAP

Proposed Channel 230A (93.9 MHz)      Rainsville, AL  
70 dBu Contour

TABLE 1 - ALLOCATION STUDY

Location Rainsville, AL  
 (Reference Site: 34-28-23 N, 85-47-53 W)  
 Channel 230A (93.9 MHz)  
 Database 12/18/2003

## ALL DISTANCES GIVEN IN KILOMETERS

<u>Station</u>	<u>Freq</u>	<u>Channel</u>	<u>Type</u>	<u>City of Lic.</u>	<u>St.</u>	<u>Dist</u>	<u>Req Dist</u>	<u>Diff</u>
WDJC-FM	93.7 FM	229 C	LIC	BIRMINGHAM	AL	151.84	165.00	13.16
<b>WDJC-FM</b>	<b>93.7 FM</b>	<b>229 C0</b>	<b>LIC</b>	<b>BIRMINGHAM</b>	<b>AL</b>	<b>151.84</b>	<b>152.00</b>	<b>0.16</b>
WDJC-FM	93.7 FA	229 C	USE	BIRMINGHAM	AL	151.84	165.00	13.16
<b>WDJC-FM</b>	<b>93.7 FA</b>	<b>229 C0</b>	<b>USE</b>	<b>BIRMINGHAM</b>	<b>AL</b>	<b>151.84</b>	<b>152.00</b>	<b>0.16</b>
WDJC-FM	93.7 FS	229 C	LIC	BIRMINGHAM	AL	151.84	165.00	13.16
<b>WDJC-FM</b>	<b>93.7 FS</b>	<b>229 C0</b>	<b>LIC</b>	<b>BIRMINGHAM</b>	<b>AL</b>	<b>151.84</b>	<b>152.00</b>	<b>0.16</b>
-	93.7 FR	229 C	DEL	BIRMINGHAM	AL	151.84	165.00	13.16
-	<b>93.7 FR</b>	<b>229 C0</b>	<b>DEL</b>	<b>BIRMINGHAM</b>	<b>AL</b>	<b>151.84</b>	<b>152.00</b>	<b>0.16</b>
WSTR	94.1 FA	231 C	USE	SMYRNA	GA	152.23	165.00	12.77
<b>WSTR</b>	<b>94.1 FA</b>	<b>231 C0</b>	<b>USE</b>	<b>SMYRNA</b>	<b>GA</b>	<b>152.23</b>	<b>152.00</b>	<b>-0.23</b>
WSTR	94.1 FM	231 C	LIC	SMYRNA	GA	156.44	165.00	8.56
<b>WSTR</b>	<b>94.1 FM</b>	<b>231 C0</b>	<b>LIC</b>	<b>SMYRNA</b>	<b>GA</b>	<b>156.44</b>	<b>152.00</b>	<b>-4.44</b>
-	94.1 FR	231 A	ADD	GURLEY	AL	71.53	72.00	0.47
-	93.7 FR	229 C0	ADD	BIRMINGHAM	AL	151.84	152.00	0.16
WXQW	94.1 FM	231 A	LIC	MERIDIANVILLE	AL	73.49	72.00	-1.49
-	94.1 FR	231 A	DEL	MERIDIANVILLE	AL	73.49	72.00	-1.49
891109MD	93.7 FA	229 A	USE	RINGGOLD	GA	74.06	72.00	-2.06
WMPZ	93.7 FM	229 A	LIC	RINGGOLD	GA	74.14	72.00	-2.14
WHRP	93.3 FM	227 C1	LIC	TULLAHOMA	TN	82.03	75.00	-7.03
WHRP	93.3 FA	227 C1	USE	TULLAHOMA	TN	82.03	75.00	-7.03
-	93.3 FR	227 C1	DEL	TULLAHOMA	TN	82.03	75.00	-7.03
WAYA	93.9 FM	230 C3	LIC	SPRING CITY	TN	153.28	142.00	-11.28
880128MS	94.1 FA	231 A	USE	MERIDIANVILLE	AL	85.81	72.00	-13.81
WAYA	93.9 FA	230 C3	USE	SPRING CITY	TN	155.94	142.00	-13.94
-	93.3 FR	227 C2	ADD	NEW MARKET	AL	72.11	55.00	-17.11

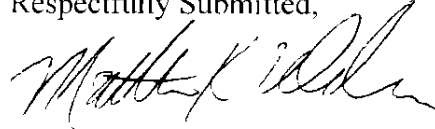
*Note All short-spacings in the above study would be eliminated with the C0-downgrades to WDJC-FM and WSTR, as proposed in this document.*

## **CERTIFICATION**

I certify that I have directly prepared or supervised the preparation of this entire document. Although I have received no legal counsel on the authoring of this Petition for Rule Making, I believe it to be accurate and true, to the best of my knowledge.

Date December 18, 2003

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Matthew K. Wesolowski". The signature is fluid and cursive, with the first name "Matthew" being more prominent.

Matthew K. Wesolowski  
General Manager  
SSR Communications, Inc  
5270 West Jones Bridge Road  
Norcross, GA 30092-1628

(770) 447-0026